

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEJANDRO JAVIER LOPEZ,
Plaintiff,
v.
JASON FINDLEY, et al.,
Defendants.

Case No. [20-cv-04431-YGR](#) (PR)


ORDER OF DISMISSAL

This federal civil rights action will be dismissed as duplicative of another pending action, *Lopez v. Lake County Jail*, Case No. 20-cv-03120-YGR (PR). The Court will allow Plaintiff to only pursue one action, and thus it will screen the earlier filed action in Case No. 20-cv-03120-YGR (PR), in which Plaintiff has filed an amended complaint alleging similar claims of: (1) sexual harassment stemming from an incident in 2012; and (2) deliberate indifference to Plaintiff's serious medical needs. The allegations and defendants are identical both suits with the exception that Plaintiff names four more defendants (Lake County Sheriff's Office, Well Path Medical Group, County of Lake, Captain Norm Taylor)¹ in the instant suit. If Plaintiff wishes to pursue claims against Defendants Lake County Sheriff's Office, Well Path Medical Group, County of Lake, and Taylor, he must file a second amended complaint in Case No. 20-cv-03120-YGR (PR) containing such claims. For the foregoing reasons, the complaint in the instant action is DISMISSED as duplicative. Plaintiff's motion for leave to proceed *in forma pauperis* will be granted in a separate written Order. Dkt. 2.

The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: January 13, 2021


JUDGE YVONNE GONZALEZ ROGERS
United States District Judge

¹ The Court notes that Plaintiff had listed all of these four Defendants when he filed his original complaint in Case No. 20-cv-03120-YGR (PR), but he no longer lists them as named Defendants in his amended complaint in that case. Compare Dkt. 10 in Case No. 20-cv-03120-YGR (PR) with Dkt. 1 in Case No. 20-cv-03120-YGR (PR).